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Sent: Thursday, February 24, 2005 1:30 PM
To: Torres, Francine
Subject: Comments for NOSB Meeting (2/28-3/3)

February 24, 2005

National Organic Standards Board
c/o Ms. Francine Torres
USDA-AMS-TMP-NOP
1400 Independence Ave, SW
Room 4008-So
Ag Stop 0268
Washington, DC 20250-0200

RE: National Organic Standards Board, Livestock Committee Recommendation on Pasture Requirements for the National Organic Program
On behalf of Farm Sanctuary, the nation's largest non-profit organization dedicated to the protection of farmed animals, we wish to comment on the guidance document, dated February 1, 2005, by the Livestock Committee of the National Organic Standards Board (NOSB) on the pasture requirements of the National Organic Program (NOP).

Farm Sanctuary supports the recommendations of the Livestock Committee on pasture for ruminant animals. We also commend the NOSB for its quick action on this matter and for providing guidance to the NOP that is consistent with the public's perception of organic production.

We would like to offer a few points in support of the recommendation:

1. Pasture grazing is important to animal health and welfare.

Numerous studies have documented the benefits of pasture grazing to the health and welfare of dairy cows. Specifically, pasture grazing has been shown to reduce the incidence of mastitis (Washburn et al., 2002; Barkema et al., 1999; Waage et al., 1998; Washburn et al., 1998), digital dermatitis (Wells et al., 1999), and reproductive problems (Bela et al., 1995 [cited in Washburn et al., 2002]; Phillips, 1990). Access to pasture improves milk quality and udder health (Goldberg et al., 1992), hoof health (Phillips, 1990), and general cow health (Bela et al., 1995). Pasture grazing has also resulted in lower involuntary culling rates (Zartman & Shoemaker, 1994).

In its comments on pasture for ruminants, Aurora Organic Dairy points to research showing that switching dairy cows from a mixed ration diet to a pasture diet results in a decrease in body condition score. However, the research cited also acknowledges that the intake of grazing dairy cows fed supplements can be comparable with the intake of non-grazing dairy cows (Kolver & Muller, 1998). Other research has reported no difference in body condition score between cows in confinement and those on pasture (Rust et al., 1995). Moreover, a higher body condition score is not necessarily desirable; results reported by Treacher et al. (1986) suggest more cases of disease in over-conditioned cows than in under-conditioned cows.

Dairy cows are typically denied pasture and instead fed a high concentrate diet to increase milk yield. However, we doubt that organic consumers would approve of denying a dairy cow her natural behavior in order to maximize production, especially considering the negative health and welfare consequences associated with abnormally high levels of milk production. It is precisely the desire to allow animals to behave as naturally as possible that motivates the public to buy organic products in the first place.

2. Lactation should not be considered a stage of production.

According to the U.S. Department of Agriculture (2002), the average days dry for a

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U.S. dairy cow is 60.6, and the average calving interval is 13.3 months. This means that approximately 85 percent of a dairy cow's "productive" life is spent in lactation. If lactation were to be considered a stage of production, under which animals may be denied pasture for grazing, then the NOP pasture requirement would become virtually meaningless for dairy cows.

3. NOP regulations should not be interpreted differently by region of the country.

Aurora Organic Dairy suggests that it should not have to meet the NOP standards required of other organic dairies because of climatic and geographic features of the mountain West where its operation is located. However, we believe Aurora's failure to provide adequate pasture access for its cows has more to do with the size of the herd than the geographic conditions, as evidenced by the fact that other organic dairies in the mountain West provide pasture grazing. As far as animal care and handling is concerned, NOP standards should be applied consistently. If an operation is unable to meet the standards, it should not be granted certification. There may be regions of the country where organic operations, or organic operations of a certain size or type, are not feasible.

4. Indoor confinement should be clarified.

In its comment, Aurora states that, in many cases, organic dairy cows raised in cold, rainy climates are "confined on wet concrete in tie stalls using chains." The NOP regulations not only require access to pasture for ruminants but "access to the outdoors, shade, shelter, exercise areas, fresh air, and direct sunlight" (Section 205.239(a)(1)). Moreover, the regulations require "provision of conditions that allow for exercise, freedom of movement, and reduction of stress appropriate to the species" (Section 205.239(a)(4)), and shelter designed to allow for "natural maintenance, comfort behaviors, and opportunity to exercise" (Section 205.239(a)(4)(i)). The use of tie stalls is absolutely incompatible with these requirements. Therefore, we encourage the NOSB to add this clarification to its guidance document on pasture for ruminants.

5. NOP regulations should be consistently enforced.

It is apparent that some USDA-accredited organic certifiers have approved applications for certification from dairy operations not meeting the NOP requirements. Failure to apply the NOP regulations in a uniform and fair manner places farmers who do meet the standards at a competitive disadvantage, and erodes the public's confidence in the integrity of the organic label. We strongly urge the NOSB and administrators of the NOP to take whatever steps are necessary to ensure that the regulations of the National Organic Program are properly enforced.

Thank you for considering our comments on this matter.

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